

# **Exhibit B**



Deposition of:  
**Derek Muehrcke , M.D.**

*July 24, 2017*

In the Matter of:  
**In Re: Bard IVC Filters Products  
Liability**

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## In Re: Bard IVC Filters Products Liability

<p style="text-align: right;">Page 26</p> <p>1 litigation?</p> <p>2 A I -- I got -- I -- I've had complications with</p> <p>3 the other renditions. I don't know if I've had</p> <p>4 specifically a Denali, but I have had complications and</p> <p>5 I have learned a lot more about the BARD filters. And</p> <p>6 I've spoken to our interventional radiologists who have</p> <p>7 told me that they think that the conical filters have a</p> <p>8 design flaw, and the BARD has -- has more complications</p> <p>9 than most. I have had specific complications in my</p> <p>10 patients where I've had filters perforate, things like</p> <p>11 that.</p> <p>12 I'm bound by a gag order what I can disclose to</p> <p>13 my patients. I've not given them any information, but I</p> <p>14 have brought them in and talked to them, tried to do the</p> <p>15 best thing for them based on what I think is the most</p> <p>16 appropriate way to try to get those filters out, if</p> <p>17 possible. I'll send them on to people who can do a lot</p> <p>18 better job than I can with advanced techniques.</p> <p>19 MR. NORTH: Move to strike as nonresponsive.</p> <p>20 Q My question was this: You do not recall</p> <p>21 specific complications involving the Denali filter, not</p> <p>22 other BARD filters, the Denali filter?</p> <p>23 A I cannot remember specific complications in the</p> <p>24 Denali filter.</p> <p>25 Q So you did not quit using BARD filters because</p>	<p style="text-align: right;">Page 28</p> <p>1 Q How many Denali filters do you believe you</p> <p>2 implanted before you quit using them?</p> <p>3 A Oh, I bet you I put in -- well, I mean, you can</p> <p>4 look it up. I bet you I put in a couple hundred at</p> <p>5 least.</p> <p>6 Q Did you implant the Meridian filter in</p> <p>7 patients?</p> <p>8 A Yes, sir.</p> <p>9 Q And do you recall any specific instances of</p> <p>10 complications with the Meridian filter?</p> <p>11 A I -- I --</p> <p>12 MR. O'CONNOR: Object to form.</p> <p>13 A I -- I -- I have had problems. Looking back at</p> <p>14 my patients as they have cycled through my office, I've</p> <p>15 had problems with all the BARD filters. I cannot</p> <p>16 remember a specific Meridian, because I'm not looking.</p> <p>17 I -- I cannot remember specific patient names,</p> <p>18 but I have seen complications of Meridian filters, yes.</p> <p>19 Q What sort of complications have you seen</p> <p>20 specifically with the Meridian?</p> <p>21 A Tilting and fracturing.</p> <p>22 Q In your practice have you ever had a fracture</p> <p>23 of a BARD filter that necessitated open surgery?</p> <p>24 A I don't believe I've had one that's required</p> <p>25 open surgery. I've taken out Greenfield filters from</p>
<p style="text-align: right;">Page 27</p> <p>1 of complications with the Denali; correct?</p> <p>2 MR. O'CONNOR: Form.</p> <p>3 A That's not correct. I can give you an analogy.</p> <p>4 I stopped using BARD filters because I have</p> <p>5 concerns about what the Denali is going to show. For</p> <p>6 instance, let me give you an example, and please bear</p> <p>7 with me.</p> <p>8 There's a new valve that came out called the</p> <p>9 mitral flow valve, and the mitral flow valve is a</p> <p>10 prosthetic valve. We're finding out 7, 8 years later</p> <p>11 that that valve structure deteriorates quickly.</p> <p>12 It takes time for these -- to develop a track</p> <p>13 record. And I'm not giving the new mitral flow valve an</p> <p>14 option. I can't waste 7 more years putting these things</p> <p>15 in and taking them out.</p> <p>16 So I'm not going to trust the new BARD filter.</p> <p>17 I've lost my trust in the filter. I felt that the other</p> <p>18 filters, which BARD had out there, of similar design,</p> <p>19 minor modifications, the Denali may be a better filter,</p> <p>20 but it's got to -- it's almost got to prove that</p> <p>21 themselves. I'm not going to put them in.</p> <p>22 So predicated on the other BARD filters I'm not</p> <p>23 going to -- I'm not going to start putting those things</p> <p>24 in a bunch of patients. I can put a lot of them in, and</p> <p>25 I've got to deal with them.</p>	<p style="text-align: right;">Page 29</p> <p>1 the right atrium, but not -- not a BARD.</p> <p>2 Q Can you estimate for me how many instances of</p> <p>3 fracture with a BARD filter you've seen in your practice</p> <p>4 over the years?</p> <p>5 MR. O'CONNOR: Form and foundation.</p> <p>6 A I don't know. It would be a guess.</p> <p>7 Q Were the majority of those instances</p> <p>8 symptomatic or asymptomatic?</p> <p>9 A You know, they've --</p> <p>10 MR. O'CONNOR: Form.</p> <p>11 A Probably the majority of them were</p> <p>12 asymptomatic, but several were symptomatic, especially</p> <p>13 with pelvic pain.</p> <p>14 Q Did you read the rough draft of Dr. Hurst's</p> <p>15 deposition that was taken on Friday?</p> <p>16 A No. I've read his reports.</p> <p>17 Q So you are still implanting filters of some</p> <p>18 sort today?</p> <p>19 A I am. My usage of filters has decreased</p> <p>20 significantly.</p> <p>21 (Dave DeGreeff joined by conference call.)</p> <p>22 Q Doctor, so there are still a class of patients</p> <p>23 where you believe that filters provide therapeutic</p> <p>24 benefit to them?</p> <p>25 A Yes, there are.</p>